



Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 7156/52427-AB/ JPW/GJG/BJA		Serial No. 10/799,197								
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Applicants: Don Fishbein										
				Filing Date March 12, 2004		Group								
U.S. PATENT DOCUMENTS														
Examiner Initial		Document Number		Date	Name	Class	Subclass	Filing Date if Appropriate						
	US	5	3	4	0	5	8	6	08/94	Pike				
FOREIGN PATENT DOCUMENTS														
		Document Number		Date	Country	Class	Subclass	Translation						
		0	2	2	2	3	8	5	02/93	EPO			Yes	No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)														
		Protest Under 37 C.F.R. §1.291(a) filed on October 18, 1999 with the United States Patent and Trademark Office in connection with U.S. Serial No. 08/244,988, pp. 1-7, including a cover sheet, a Form PTO-1449, and Exhibits A-E												
		March 2, 2000 Decision on Protest Under 37 C.F.R. §1.291(a) in connection with U.S. Serial No. 08/244,988, pp. 1-2, including a cover sheet, a Form PTO-892, Information on Submitting an IDA (2 pages), and a copy of 21 C.F.R. 312 (39 Pages)												
		Aroonsakul, Chemical Abstracts, vol. 115: 151902q, 1988.												
		Bailey, R.O., Turok, D.I., Jaufmann and Singh, J.K. (1987). Myositis and acquired immunodeficiency syndrome. Hum. Path. 18:749-751												
		Berger, J.R., (1991). Personal communication between Dr. Berger and Dr. Dudley of Gynex (letter dated July 6, 1991),												
		Bessen, L.J., Greene, J.B., Louie, E., Seitzman, P., and Weinberg, H. (1988). Severe polymyositis-like syndrome associated with zidovudine therapy in AIDS and ARC. N. Eng. J. Med. 318:708												
		Blizzard, R.M., Hindmarsh, P.C. and Stanhope, R. (1991). Oxandrolone therapy: 25 years experience. Growth, Genet. Hor. 7:1-7												
		Boris, et al., Chemical Abstracts, vol. 74: 72305d, 1971.												
		Chelbowski, R.T., Grosvenor, M.B., Bernhard, N.H., Morales, L.S. and Bulcavage, L.M. (1989). Nutritional status, gastrointestinal dysfunction and survival in patients with AIDS. Am. J. Gastroent. 84:1288-1293,												
		Chernoff, D. (1990). Myositis in HIV-infected patients. In the AIDS Knowledge Base, Cohen, P.T., Sande, M.A. and Volberding, P.A. (eds.). Waltham, The Medical Publishing Group, pp. 5.14. 1-2												
		Dalakas, M.C., Pezeshkpour, G.H., Gravell, M. and Sever, J.L. (1986). Polymyositis associated with AIDS retrovirus. J. Amer. Med. Assoc. 256:2381-2383												
EXAMINER				DATE CONSIDERED										
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.														

Applicants: Don Fishbein
Serial No.: 10/799,197
Filed: March 12, 2004
Exhibit A

Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 7156/52427-AB/ JPW/GJG/BJA		Serial No. 10/799,197	
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Applicants: Don Fishbein			
				Filing Date March 12, 2004		Group	
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation
							Yes No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Gonzales, M.F., Olney, R.K., So, Y.T., Greco, C.M., et al. (1988). Subacute structural myopathy associated with human immunodeficiency virus infection. Arch. Neurol. 45:585-587						
	Gorard, D.A., Henry, K., and Guiloff, R.J. (1988). Necrotizing myopathy and zidovudine. Lancet. 1:1050-1051						
	Hellerstein, M.K., J. Mudie, H. and Viteri, F. (1990). Current Approach to the treatment of human immunodeficiency virus-associated weight loss: pathophysiologic considerations and emerging management strategies. Sem. Oncol. 17:17-33						
	Hughes, B.J. and Kreig, M. (1988). Steroid receptors and the muscular system. In, Steroid Receptors and Disease, Sheridan, P.J. Blum, K. and Trachtenberg, M.C. (eds). Marcel Dekker, Inc., New York, pp. 415-433						
	Jones, R.W.A., El Bishti, M.M., Bloom, S.R., Burke, J., Carter, J.E., et al (1980). The effects of anabolic steroids on growth, body composition, and metabolism in boys with chronic renal failure on regular hemodialysis. J. Pediat. 97:559-566						
	Karim et al., (1973), "Oxandrolone Disposition and Metabolism In Man," 80 <i>Chemical Abstracts</i> : 10551						
	Kotler, D.P., Wang, J. and Pierson, R.N. (1985). Body composition studies in patients with acquired immunodeficiency syndrome. Am. J. Clin. Nutr. 42:1255-1265						
	Kotler, D.P., Tierney, A.R., Wang, J., and Pierson, R.N. (1989). Magnitude of body-cell-mass depletion and the timing of death wasting in AIDS. Am. J. Clin. Nutr. 50:444-447						
	Lone, et al., Chemical Abstracts, vol. 107: 174950c, 1987.						
	Masse, R.B.H., Ayotte, C. and Dugal, R. (1989). Studies on anabolic steroids II – Gas chromatographic/mass spectrometric characterization of oxandrolone urinary metabolites in man. Biomed. Environ. Mass Spectrom. (England) 18:429-438						
EXAMINER			DATE CONSIDERED				
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office			Atty. Docket No. 7156/52427-AB/ JPW/GJG/BJA		Serial No. 10/799,197	
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)					Applicants: Don Fishbein			
					Filing Date March 12, 2004		Group	
U.S. PATENT DOCUMENTS								
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
FOREIGN PATENT DOCUMENTS								
		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
	Mendenhall, C.L., Anderson, S., Garcia-Pont, P., Goldberg, S., et al. (1984). Short-term and long-term survival in patients with alcoholic hepatitis treated with oxandrolone and prenisolone. <i>N. Eng. J. Med.</i> 311:1464-1470							
	Mendenhall, C.L., Grossman, C.J., Roselle, G.A., et al. (1990). Anabolic steroids effects on immune function: differences between analogues. <i>J. Steroid Biochem. Molec. Biol.</i> 37:71-76							
	Metcalf, et al., (1965), "A Quantitative Expression For Nitrogen Retention With Anabolic Steroids. IV. Oxandrolone," 62 <i>Chemical Abstracts</i> : 45397							
	Metcalf et al., (1965), "A Quantitative Expression For Nitrogen Retention With Anabolic Steroids. IV. Oxandrolone," <i>Metabolism</i> , 14(1) pp. 59-66							
	Meyers, F.H., Jawetz, E. and Goldfien, A. (1980). Review of Medical Pharmacology. California: Lange Medical Publications, p. 415							
	Morton, J.J.P., and M.H. Malone, (1972), "Evaluation of Vulnerary Activity by an Open Wound Procedure in Rats", <i>Arch. Int. Pharmacodyn</i> , Vol. 196, pp. 117-126 (Exhibit 1);							
	O'Shea, et al., <i>Chemical Abstracts</i> , vol. 74: 75106a, 1971.							
	"Orphan Drug for HIV Wasting Syndrome", <i>Am. Fam. Physician</i> (1991), Vol. 44, page 1889 (Exhibit 2).							
	Pan, C.S., Inadomi, D.W., Laidlaw, S.A., Jones, M.R., and Kopple, J.D. (1984). Oxandrolone enhances muscle protein synthesis in acutely uremic rats. <i>Kidney Intl.</i> 25:236							
	Simpson, D.M. and Bender, A.N. (1988). Human immunodeficiency virus-associated myopathy: analysis of 11 patients. <i>Ann. Neurol.</i> 24:79-84							
	Tchekmedyan, (1993), "Clinical Approaches to Nutritional Support in Cancer," <i>Current Opinion in Oncology</i> , Vol. 5, pp. 633-638							
EXAMINER			DATE CONSIDERED					
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								